
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

GERARDO MELENDEZ,

Petitioner,

versus

WARDEN, FCC BEAUMONT LOW,

Respondent.

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CIVIL ACTION NO. 1:22-CV-289

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Petitioner Gerardo Melendez, an inmate confined at the Federal Correctional Complex at Beaumont, Texas, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court previously referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, for consideration in accordance with 28 U.S.C. § 636. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that petitioner's application to proceed *in forma pauperis* be denied and petitioner directed to pay the \$5 filing fee.

The court has received the Report and Recommendation, along with the record and all available evidence. No objections were filed to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the magistrate judge's report (#3) is **ADOPTED**. Petitioner's application to proceed *in forma*

pauperis (#2) is **DENIED**. Petitioner shall have 30 days from the date set forth below to pay the \$5 filing fee.

Signed this date

Nov 8, 2022

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive style with a horizontal line underneath it.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE